

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

AMY SILVIS,	:	
	:	
on behalf of herself and all	:	CIVIL ACTION
others similarly situated	:	NO. 14-5005
	:	
v.	:	
	:	
AMBIT ENERGY, L.P., et al.	:	

ORDER

AND NOW, this **22nd** day of **February, 2018**, upon consideration of "Plaintiff's Unopposed Amended Motion for Preliminary Approval of Class Action Settlement" (ECF No. 81), and for the reasons stated in the accompanying memorandum opinion, it is hereby **ORDERED** that Plaintiff's motion is **GRANTED**.

It is hereby further **ORDERED** that:

1. as described in the accompanying memorandum opinion, the proposed Settlement Agreement is preliminarily approved as it is fair, reasonable, and adequate under Fed. R. Civ. P. 23(e). Class certification for the purposes of settlement is appropriate and meets the requirements of Fed. R. Civ. P. 23(a) and (b).

2. The Court conditionally certifies the following settlement class:

All persons in the Commonwealth of Pennsylvania who were enrolled as a customer of Defendant and were on Defendant's Select Variable Plan at any time during the Class Period.

3. Upon consideration of the factors in Fed. R. Civ. P. 23(g), the Court appoints Plaintiff's Class Counsel to represent the Settlement Class as follows:

Jonathan Shub, Esquire
Kohn Swift Graf, P.C.
One South Broad Street, Suite 2100
Philadelphia, PA 19107

Troy M. Frederick, Esquire
Marcus & Mack, P.C.
57 South Sixth Street
Indiana, PA 15701

4. The Court appoints Plaintiff Amy Silvis as representative of the certified Settlement Class.

5. The Court approves the Notice Plan, including the two proposed forms of notice, (ECF No. 81 Exhs. A2, ECF No. 82), and finds that they are reasonable and adequate and meet the requirements of Fed. R. Civ. P. 23(c) and (e), as discussed in the accompanying memorandum opinion. Prior to the Final Approval Hearing, sworn statements attesting to compliance with this Order as to the Notice Plan shall be filed.

6. The Court hereby appoints Angeion Group as the Settlement Administrator, with the fees and costs of the Settlement Administrator to be borne by Defendant as set forth in the Settlement Agreement. The Settlement Administrator shall implement the Notice Plan, including all applicable deadlines. The payment of fees and costs to the Notice Administrator shall not be contingent upon any further action of the Court, including,

without limitation, any decision on a Motion for Final Approval of the Settlement Agreement.

7. Plaintiffs' Class Counsel shall file their Fee and Service Award Applications by **Friday, April 13, 2018**.

8. Settlement Class Members have until **Friday, May 4, 2018**, to file and/or send all opt-in Claim Forms, objections, and requests for exclusion from the proposed Settlement Class as set forth in the Notices. Claim Forms, objections, and requests for exclusion must comply with the requirements set forth in the Notices.

9. The motion for final approval of the Settlement Agreement and any papers Plaintiff or Defendant wishes to submit in support of final approval of the Settlement Agreement shall be filed with the Court by **Monday, July 9, 2018**.

10. The Court will hold a final fairness hearing on **Wednesday, August 8, 2018 at 2:00 p.m.** in Courtroom 15A, U.S. Courthouse, 601 Market Street, Philadelphia, PA to consider the propriety of final settlement approval in light of any written objections, opt-outs, or requests to be heard.

AND IT IS SO ORDERED.

/s/ Eduardo C. Robreno
EDUARDO C. ROBRENO, J.